

REMARKS

In response to the Examiner's Answer mailed on August 28, 2009, the applicant requests reconsideration of the above-identified application in view of the following remarks. Claims 1-25 are pending in the application, and are rejected. Claims 1, 4 and 22-25 are amended. No new matter has been added.

Status of Application

The Examiner's Answer mailed on August 28, 2009 set forth a new ground of rejection of claims 22-25 under 35 U.S.C. §101. Claims 22-25 are amended herein to obviate the new ground of rejection under 35 U.S.C. §101. Applicant respectfully requests that prosecution be reopened before the Examiner.

Interview Summary

Applicant thanks Examiner Dohm Chankong for the courtesy of the telephone interview conducted on Tuesday, October 27, 2009 between himself and Robert E. Mates. The new rejection of claims 22-25 under 35 U.S.C. §101 was discussed, and Examiner Chankong suggested an amendment to claims 22-25, and Mr. Mates agreed to make the amendment to address the new rejection of claims 22-25. Claims 22-25 are amended herein according to the Examiner's suggestion.

Rejections of the Claims under §101

Claims 1-6 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicant respectfully traverses.

Independent claims 1 and 4 are amended to obviate the rejection under 35 U.S.C. §101. Claims 2, 3, 5 and 6 are variously dependent on claims 1 and 4. Applicant respectfully submits that amended claims 1 and 4 and claims 2, 3, 5 and 6 dependent thereon are in condition for allowance.

Claims 22-25 are newly rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicant respectfully traverses.

Claims 22-25 are amended herein according to the Examiner's suggestion to obviate the new ground of rejection under 35 U.S.C. §101. Applicant respectfully submits that amended claims 22-25 are in condition for allowance.

Rejection of the Claims under §103

Claims 1-25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Joyce et al. (U.S. 6,798,358) in view of Carey et al. (U.S. 6,714,793).

Applicant respectfully traverses for the reasons set forth in the appeal brief filed on December 14, 2005, and respectfully submits that claims 1-25 are in condition for allowance.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned at (612) 373-6973 to facilitate prosecution of this application.

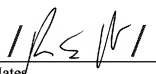
It is believed that this response is in compliance with 37 CFR 41.39(b), and this response constitutes a request to reopen prosecution and withdrawal of appeal.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402--0938
(612) 373-6973

Date October 27, 2009

By 
Robert E. Mates
Reg. No. 35,271